



STATE OF WISCONSIN Assembly Journal

Ninety-Eighth Regular Session

THURSDAY, January 3, 2008

The Chief Clerk makes the following entries under the above date:

AMENDMENTS OFFERED

Assembly substitute amendment 1 to **Assembly Bill 92** offered by Representative Albers.

ADMINISTRATIVE RULES

Assembly Clearinghouse Rule 07-037

Relating to food and dairy license and reinspection fees. Submitted by Department of Agriculture, Trade and Consumer Protection.

Report received from Agency, December 18, 2007.

To committee on **Agriculture**.

Referred on January 2, 2008.

Assembly Clearinghouse Rule 07-054

Relating to unemployment insurance rules for determining a claimant's ability and availability for work and affecting small businesses.

Submitted by Department of Workforce Development.

Report received from Agency, December 18, 2007.

To committee on **Labor and Industry**.

Referred on January 2, 2008.

Assembly Clearinghouse Rule 07-068

Relating to the status of a nonannuitant Wisconsin retirement system participant at death, for purposes of determining the applicable death benefit.

Submitted by Department of Employee Trust Funds.

Report received from Agency, December 17, 2007.

To committee on **Insurance**.

Referred on January 2, 2008.

Assembly Clearinghouse Rule 07-085

Relating to voluntary certification of firewood dealers. Submitted by Department of Agriculture, Trade and Consumer Protection.

Report received from Agency, December 13, 2007.

To committee on **Forestry**.

Referred on January 2, 2008.

INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

Assembly Bill 651

Relating to: the statute of limitations for sexual contact with a child.

By Representatives Suder, Richards, Davis, Zepnick, Van Roy, Seidel, Tauchen, Soletski, Petersen, Molepske, Albers, Hraychuck, Ballweg, Berceau, Roth, Vruwink, Vos, Nygren, Nerison, Townsend, Musser, Moulton, F. Lasee, Wood, LeMahieu and Stone; cosponsored by Senators Lassa, Taylor, Darling, Coggs, Roessler, Olsen, Kapanke, Schultz and Lehman.

To committee on **Children and Family Law**.

Assembly Bill 652

Relating to: the definition of sexual intercourse for the crime of incest.

By Representatives Cullen, Albers, Berceau, Bies, Hraychuck, Jeskewitz, Molepske, Musser, Nass, Sinicki, Soletski, Staskunas, A. Williams and Ziegelbauer; cosponsored by Senators Lassa, A. Lasee, Lazich, Roessler, Sullivan and Taylor.

To committee on **Criminal Justice**.

Assembly Bill 653

Relating to: increasing the low-revenue ceiling for school district revenue limit purposes; authorizing a school district to exceed its revenue limit under certain conditions; modifying the school district revenue limit adjustment for declining enrollment; distributing transportation aid balances to school districts; and providing for a study.

By Joint Legislative Council.

To committee on **Education Reform**.

Assembly Bill 654

Relating to: eliminating the study related to imposing local general property taxes on public utility property.

By Representative Honadel; cosponsored by Senator Plale.

To committee on **Energy and Utilities**.

Assembly Bill 655

Relating to: municipal authority to contract with private parties for weights and measures enforcement and granting rule-making authority.

By Representatives Nygren, Albers, Gottlieb, Gunderson, Kestell, LeMahieu and Vos; cosponsored by Senator Schultz.

To committee on **Urban and Local Affairs**.

Assembly Bill 656

Relating to: posting information about charitable solicitation campaigns performed by professional fund-raisers on the Internet Web site of the Department of Regulation and Licensing.

By Representatives Cullen, Albers, Berceau, Hahn, Jorgensen, Krusick, Molepske, Mursau, Musser, Petrowski, Soletski, Vos, A. Williams and Ziegelbauer; cosponsored by Senators Hansen, Grothman, Lehman and Taylor.

To committee on **State Affairs**.

Assembly Bill 657

Relating to: eliminating the World Dairy Center Authority.

By Representatives A. Ott, Gronemus, Albers and Mursau; cosponsored by Senators Grothman, Roessler and Olsen.

To committee on **Agriculture**.

Assembly Bill 658

Relating to: eligibility for academic excellence higher education scholarships.

By Representatives Ballweg, Gronemus, Mursau, A. Ott, Petrowski, Pope-Roberts, Townsend, Turner, Sinicki and A. Williams; cosponsored by Senators Miller, Breske, Darling, Risser, Roessler, Vinehout and Wirch.

To committee on **Education**.

Assembly Bill 659

Relating to: income and franchise tax credits for sales and use taxes paid on nonprescription drugs.

By Representatives Jorgensen, Black, Albers, Berceau, Gunderson, Hraychuck, Nelson, Parisi, Staskunas and Turner; cosponsored by Senators Olsen, Darling and Roessler.

To committee on **Health and Healthcare Reform**.

Assembly Bill 660

Relating to: the registration of antique snowmobiles.

By Representatives Vruwink, Ziegelbauer, Musser, Boyle, Zepnick, Bies, Friske, Kaufert, Albers, A. Ott, Ballweg, Gronemus, Mursau and Sherman; cosponsored by Senators Breske, Lehman, A. Lasee, Cowles and Olsen.

To committee on **Tourism, Recreation and State Properties**.

Assembly Bill 661

Relating to: false representations in communications with legislators, providing a penalty, and making an appropriation.

By Representatives Parisi, Pope-Roberts, Albers, Soletski, Berceau, Hebl, Smith, Sinicki, A. Williams, Grigsby and Molepske; cosponsored by Senators Risser, Vinehout and Taylor.

To committee on **Judiciary and Ethics**.

Assembly Bill 662

Relating to: the charge-back of refunded or rescinded taxes and of personal property taxes and sharing certain collected taxes.

By Representatives Hixson, Ziegelbauer, Sheridan, Staskunas, Benedict, Seidel and A. Ott; cosponsored by Senators Olsen and Roessler.

To committee on **Ways and Means**.

Assembly Bill 663

Relating to: child abuse and neglect prevention grants.

By Joint Legislative Council.

To committee on **Children and Family Law**.

Assembly Bill 664

Relating to: authorizing access by the long-term care ombudsman or his or her representative to a client or resident in a residential care apartment complex, imposing an annual assessment on certain occupied apartments of residential care apartment complexes, expanding rights of residents of facilities to include residents of residential care apartment complexes, requiring posting of a notice, requiring the exercise of rule-making authority, and making an appropriation.

By Representatives Krusick, Musser, Berceau, Grigsby, Mason, Molepske, Nelson, A. Ott, Sheridan, Sinicki, Soletski, Staskunas, Turner, A. Williams and Wood; cosponsored by Senators Carpenter, Risser and Vinehout, by request of Wisconsin Board on Aging and Long Term Care, AARP Wisconsin, Coalition of Wisconsin Aging Groups and Survival Coalition of Wisconsin Disability Organizations.

To committee on **Aging and Long Term Care**.

Assembly Bill 665

Relating to: specialized medical vehicles and vehicles transporting elderly or disabled persons.

By Representatives Krusick, A. Ott, Berceau, Sinicki, Stone, Turner, A. Williams, Benedict and Seidel; cosponsored by Senators Lehman and Olsen, by request of AARP-Wisconsin, Wisconsin Board on Aging and Long-Term Care, Coalition of Wisconsin Aging Groups, Disability Rights Wisconsin, Survival Coalition of Wisconsin Disability Organizations and Wisconsin Council on Developmental Disabilities.

To committee on **Transportation**.

Assembly Bill 666

Relating to: unfunded pension liability financing in populous counties and membership on the pension study committee.

By Representatives Stone, Honadel, Young, Zepnick, Fields, Sinicki, A. Williams, Ballweg, Hahn, Turner and Vos; cosponsored by Senators Coggs, Taylor, Darling, Plale and Lazich.

To committee on **Urban and Local Affairs**.

Assembly Bill 667

Relating to: requiring a license to engage in the practice of landscape architecture.

By Representatives Lothian, Shilling, Davis, Vruwink, Berceau, Townsend, Montgomery, Turner and Mason; cosponsored by Senator Risser.

To committee on **Labor and Industry**.

Assembly Bill 668

Relating to: membership of the group insurance board.

By Representatives Rhoades, Hraychuck, Musser, Hahn and Murtha; cosponsored by Senators Harsdorf, Vinehout, Kapanke and Olsen.

To committee on **Insurance**.

CHIEF CLERK REPORTS

The Chief Clerk records:

Assembly Bill 254

Assembly Bill 279

Assembly Bill 341

Presented to the Governor on Thursday, January 3.

PATRICK E. FULLER
Assembly Chief Clerk

SPEAKER'S COMMUNICATIONS

January 3, 2008

Mr. Patrick Fuller
Chief Clerk, Wisconsin State Assembly
Room 401, Risser Justice Center
17 West Main Street
Madison, Wisconsin 53708

Dear Patrick:

Pursuant to Assembly Rule 3, I have made the following changes to the membership of the Assembly committees established by Assembly Rule 9 listed below.

Judiciary and Ethics: Representative Suder will replace Representative Gundrum as chair of the committee for the remainder of the 2007-09 legislative session or until Representative Gundrum returns from active duty in the United States military.

Elections and Constitutional Law: Representative Vos will replace Representative Gundrum as vice-chair of the committee for the remainder of the 2007-09 legislative session or until Representative Gundrum returns from active duty in the United States military.

Rules: Representative Petrowski will replace Representative Gundrum as a member of the committee for the remainder of the 2007-09 legislative session or until Representative Gundrum returns from active duty in the United States military.

Organization: Representative Rhoades will replace Representative Gundrum as a member of the committee for the remainder of the 2007-09 legislative session or until Representative Gundrum returns from active duty in the United States military.

Pursuant to Assembly Rule 3, I have also made the following change to the membership of the Joint Committee on Legislative Organization.

Representative Rhoades will replace Representative Gundrum as a member of the committee for the remainder of the 2007-09 legislative session or until Representative Gundrum returns from active duty in the United States military.

All of the above appointments are effective immediately.

Should you have any questions, please contact my office.

Sincerely,
MICHAEL HUEBSCH
Assembly Speaker

REFERRAL OF AGENCY REPORTS

State of Wisconsin
Department of Administration
Madison

December 19, 2007

To the Honorable, the Legislature:

In compliance with Wisconsin statute 16.548, please find the Wisconsin Office of Federal/State Relations quarterly report to be submitted to the Legislature for the Third Quarter of 2007. This report provides information on the activities of the office and the status of federal legislation of concern to the State of Wisconsin.

Please contact me if you have any questions about this material.

Sincerely,
MICHAEL L. MORGAN
Secretary

Referred to committee on **State Affairs**.

State of Wisconsin
Department of Health and Family Services
Madison

December 19, 2007

To the Honorable, the Legislature:

The Department of Health and Family Services is pleased to provide you this annual report of the Wisconsin Food Security Consortium's plans to address food insecurity, as required under s. 46.76(4) and (5).

The Wisconsin Food Security Consortium continues to make progress in devising strategies to end hunger and food insecurity in Wisconsin. Highlights include:

- The Consortium continued to expand its membership to include several more local food security representatives. A website was established during 2007 to establish a primary communication link with members and other partners. (See <http://www.wisconsinfoodsecurityconsortium.org>) A series of Topic Papers were developed for the Hunger Summit related to the four areas of food insecurity: Emergency Food Programs, Nutrition Assistance Programs, Access to

Affordable and Nutritious Food, and Family Economic Security.

- The full Consortium met quarterly throughout 2007, while the Steering Committee met monthly. The by-laws were finalized and the Committee elected Jane Voichick as Consortium Chair.
- The Consortium planned and hosted a statewide Hunger Summit on October 4, 2007, in Stevens Point. The Summit was very well attended. Nearly 200 food providers, activists, state and local public and private hunger prevention agencies, public health nutritionists, FoodShare eligibility workers, business leaders, food pantry staff and volunteers, members of the faith community and other interested parties were present. Speakers included Senator Julie Lassa, Representative Louis Molepske, Patti Whitney-Wise (Executive Director of the Oregon Hunger Relief Task Force), Lynn Parker (Director of Child Nutrition Programs and Nutrition Policy, Food Research and Action Center, Washington D.C.), and Consortium members. The purpose of the Summit was to bring partners from around Wisconsin together to learn about food insecurity and hunger in the state, to network and collaborate, and to be inspired with ideas and actions. Input was collected to draft a statewide action plan that will serve as a blueprint as we move forward.
- The Wisconsin WIC Program conducted its WIC Food Insecurity Survey in 2007, a repeat of the survey conducted in 2002. Low food security increased from 44% in 2002 to 51% in 2007. However, very low food security (formerly described as food insecurity with hunger) decreased from 19% in 2002 to 15% in 2007.
- The major activities of the Consortium for 2008 will include finalizing the Statewide Action Plan and facilitating regional hunger forums throughout Wisconsin. The goal of the regional forums is to further engage local partners in strategies to reduce hunger. These strategies will be included in the final Action Plan which the Consortium will distribute statewide and begin implementing in 2008.

The Department is also a partner with the University of Wisconsin-Extension in the Wisconsin Food Security Project, which provides up-to-date county and state-level information about food security, economic well-being, and the availability and use of public and private programs to increase access to affordable and nutritious foods. An interactive map is available on the Wisconsin Food Security Project's website, showing each county's food security profile as measured by different indicators, including federal nutrition assistance program, food production and marketing, community infrastructure, and economic well-being, at <http://www.wisstat.wisc.edu/uwex/foodmaps.aspx>.

The Department, along with the Food Security Consortium, continues its commitment to fighting hunger in Wisconsin.

With warm regards,
KEVIN R. HAYDEN
Secretary

Referred to committee on **Children and Family Law**.

State of Wisconsin
Department of Administration
Madison

December 31, 2007

To the Honorable, the Legislature:

This report is transmitted as required by s. 20.002(11)(f), Wisconsin Statutes, (for distribution to the appropriate standing committees under s. 13.172(3), Wisconsin Statutes) and confirms that the Department of Administration has found it necessary to exercise the "temporary reallocation of balances" authority provided by this section in order to meet payment responsibilities and cover resulting negative cash balances during the month of November 2007.

On November 1, 2007, the Wisconsin Health Education Loan Repayment Fund cash balance closed at a negative \$2 thousand. This negative balance continued through November 30, 2007, when the fund's cash balance closed at a negative \$2 thousand. The negative balance was due to the difference in the timing of revenues and expenditures.

On November 1, 2007, the Worker's Compensation Fund cash balance closed at a negative \$1.8 million. This negative balance continued through November 30, 2007, when the fund's cash balance closed at a negative \$2.9 million (its intra-month low). The negative balance was due to the difference in the timing of revenues and expenditures.

On November 1, 2007, the Injured Patients and Families Compensation Fund cash balance closed at a negative \$46.2 million. This negative balance continued through November 30, 2007, when the fund's cash balance closed at a negative \$44.5 million. The Injured Patients and Families Compensation Fund cash balance reached its intra-month low of a negative \$46.3 million on November 13, 2007. The negative balance was due to the transfer of \$71.5 million to the General Fund per [2007 Wisconsin Act 20](#), and the pending liquidation of fund securities necessary to offset this shortfall.

The Wisconsin Health Education Loan Repayment Fund, Worker's Compensation Fund, and the Injured Patients and Families Compensation Fund shortfalls were not in excess of the statutory interfund borrowing limitations and did not exceed the balances of the funds available for interfund borrowing.

The distribution of interest earnings to investment pool participants is based on the average daily balance in the pool and each fund's share. Therefore, the monthly calculation by the State Controller's Office will automatically reflect the use of these temporary reallocations of balance authority, and as a result, the funds requiring the use of the authority will effectively bear the interest cost.

Sincerely,
MICHAEL L. MORGAN
Secretary

Referred to committee on **Ways and Means**.